

MAR 28 2005

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| U.S. Patent and Trademark Office MS Amendment | (703) 872-9306 | |

FROM: Gregory P. Einhorn - Reg No. 38,440

DATE: March 28, 2005

| | |
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| Number of pages with cover page: 27 | Original or hard copy to follow if this box is checked <input type="checkbox"/> |
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Comments:

Attorney Docket: 564462001613
 Group Art Unit: 1652
 Examiner: R. Hutson
 Serial No.: 10/034,621
 Filing Date: December 21, 2001
 Inventor(s): Walter CALLEN et al.
 Title: ENZYMES HAVING HIGH TEMPERATURE POLYMERASE ACTIVITY AND METHODS OF USE THEREOF

Papers attached:

1. Transmittal (1 page)
2. Fee Transmittal (1 page + duplicate)
3. Petition for 1 Month Extension of Time Under 37 CFR 1.136(a) (1 page)
4. Amendment in response to Office Action dated November 26, 2004 (22 pages)

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SD-252104

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|----|------------------------|-------------------|
| | | Application Number | 10/034,621 |
| | | Filing Date | December 21, 2001 |
| | | First Named Inventor | Walter CALLEN |
| | | Art Unit | 1652 |
| | | Examiner Name | R. Hutson |
| Total Number of Pages in This Submission | 27 | Attorney Docket Number | 564462001613 |

ENCLOSURES (Check all that apply)

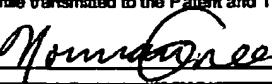
| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form (1 page + duplicate) | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply (22 pages) | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request (1 page) | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet (1 page) |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | Customer No. 45975 | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | MORRISON & FOERSTER LLP | | |
| Signature |  | | |
| Printed name | Gregory P. Einhorn | | |
| Date | March 28, 2005 | Reg. No. | 38,440 |

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below.

Dated: March 28, 2005

Signature:  (Norman Green)

sd-252048

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2008. OMB 0651-0032
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| | | | | |
|--|------|--------------------------|---------------------|--------------|
| Effective on 12/06/2004. <small>Fee pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4918).</small> | | Complete If Known | | |
| FEE TRANSMITTAL | | Application Number | 10/034,621 | |
| For FY 2005 | | Filing Date | December 21, 2001 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | First Named Inventor | Walter CALLEN | |
| | | Examiner Name | R. Hutson | |
| | | Art Unit | 1652 | |
| TOTAL AMOUNT OF PAYMENT | (\$) | 60.00 | Attorney Docket No. | 564462001613 |

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fee Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|---------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

| | | Small Entity |
|----------|----------|--------------|
| Fee (\$) | Fee (\$) | |
| | | 50 |
| | | 25 |
| | | 200 |
| | | 100 |
| | | 360 |
| | | 180 |

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|---------------------------|----------|---------------|
| | | | | | | |
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

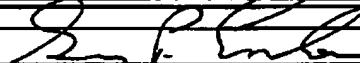
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | /50 | (round up to a whole number) x | | |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 2251 Extension for response within first month

60.00

| | | | |
|-------------------|--------------------|---|----------------|
| SUBMITTED BY | |  | |
| Signature | | Registration No. Attorney/Agent | 38,440 |
| Name (Print/Type) | Gregory P. Einhorn | Telephone | (858) 720-5133 |
| | | Date | March 28, 2005 |

sd-252047

PTO/SB/17 (12-04-12)

Approved for use through 7/31/2008. OMB 0851-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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| | | |
|--|--|--|
| Effective as of 12/08/2004. Fee pursuant to the Consolidated Appropriations Act, 2005 (PLR. 48-11). | | Complete if Known |
| Fee TRANSMITTAL For FY 2005 | | Application Number 10/034,621 |
| | | Filing Date December 21, 2004 |
| | | First Named Inventor Walter CALLEN |
| | | Examiner Name R. Hutson |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Art Unit 1652 |
| TOTAL AMOUNT OF PAYMENT | | Attorney Docket No. 564462001813 |
| \$ (S) 60.00 | | |

METHOD OF PAYMENT (check all that apply)

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EEE CALCULATION

1. BASIC FILING, SEARCH AND EXAMINATION FEES

| | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | | | | |
|-------------|--------------|----------|--------------|----------|------------------|----------|----------------|-----|-----|--|
| | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Fees Paid (\$) | | | |
| Utility | | 300 | | 150 | | 500 | 250 | 200 | 100 | |
| Design | | 200 | | 100 | | 100 | 50 | 130 | 65 | |
| Plant | | 200 | | 100 | | 300 | 150 | 160 | 80 | |
| Reissue | | 300 | | 150 | | 500 | 250 | 600 | 300 | |
| Provisional | | 200 | | 100 | | 0 | 0 | 0 | 0 | |

2 EXCESS CLAIM FEES

Fast Deserialization

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| | | | | | |
|---------------------|---------------------|-----------------|----------------------|----------------------------------|----------------------|
| <u>Total Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | <u>Multiple Dependent Claims</u> | |
| _____ | _____ | x _____ | = _____ | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
| <u>Index Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | | |

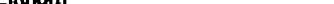
APPLICATION SEE SEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets: **Extra Sheets:** **Number of each additional \$5 or fraction thereof** **Fee (\$):** **Fee Paid (\$)**

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)
Other (e.g., late filing surcharge): 2251 Extension for response within first month **60.00**

SUBMITTED BY  Signature _____ Registration No.
Attorney/Agent 38,440 Telephone (858) 720-5133
Name (Print/Type) Gregory P. Einhorn Date March 26, 2005

Duplicate Copy
For Fee Processing

84-252047